



## CONDITIONAL USE PERMIT APPLICATION

Liberty Lake Planning & Building Services  
22710 E. Country Vista Drive, Liberty Lake WA 99019  
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Website: [www.libertylakewa.gov](http://www.libertylakewa.gov)

**A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO SUBMITTAL OF THIS APPLICATION. TO SCHEDULE A PRE-APPLICATION CONFERENCE, PLEASE CONTACT PLANNING & BUILDING SERVICES.**

### **INTENT**

There are certain uses which, due to the nature of their impacts on surrounding land uses and public facilities and services, require a case-by-case review and analysis. These are identified as "Conditional Uses" in City Development Code Chapter 2 - Zoning Districts. The purpose of Development Code Article 10-4H is to provide standards and procedures under which a conditional use may be permitted, enlarged, or altered if the site is appropriate and if other appropriate conditions of approval can be met.

### **Approvals Process**

- An application for a new conditional use shall be processed as a Type II procedure (Development Code Article 10-4B). The application shall meet specific submission requirements (Development Code Section 10-4H-3) and approval criteria (Development Code Section 10-4H-4).
- Modifications to approved or existing conditional uses shall be processed in accordance with Development Code Article 10-F - Modifications. Refer to the City Development Code for more information.

### **CRITERIA, STANDARDS AND CONDITIONS OF APPROVAL**

The Hearing Examiner shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following standards and criteria:

#### **Use Criteria**

- The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;
- The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and
- All required public facilities have adequate capacity to serve the proposal.

#### **Site Design Standards**

- The criteria for Site Design Review approval (Development Code Section 10-4C-4) shall be met.

#### **Conditions of Approval**

The Hearing Examiner may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

- Limiting the hours, days, place, and/or manner of operation;
- Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor, and/or dust;
- Requiring larger setback areas, lot area, and/or lot depth or width;
- Limiting the building height, size or lot coverage, and/or location on the site;
- Designating the size, number, location, and/or design of vehicle access points or parking areas;
- Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;
- Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;
- Limiting the number, size, location, height, and/or lighting of signs;
- Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;
- Requiring berms, screening, or landscaping and the establishment of standards for their installation and maintenance;
- Requiring and designating the size, height, location, and/or materials for fences;
- Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or critical areas;
- Requiring the dedication of sufficient land to the public, and/or construction of a pedestrian/ bicycle pathways in accordance with the adopted plans. Dedication of land and construction shall conform to the provisions of Development Code Article 10-3B.

#### **Additional Development Standards for Conditional Use Types**

- A conditional use permit shall not grant variances to regulations otherwise prescribed by the Development Code. Variance application(s) may be filed in conjunction with the conditional use application and both applications may be reviewed at the same hearing.
- Development standards for specific uses are contained in Development Code Chapter 2 - Zoning Districts.

#### **APPLICATION SUBMISSION REQUIREMENTS**

In addition to the submission requirements required in Development Code Article 10-4B (also see the City brochure on Application Review Procedures for Projects Permits), an application for conditional use approval must include the following information, as applicable. For a description of each item, please refer to Development Code Section 10-4C-3 - Site Design Review Application Submission Requirements:

- Site analysis map (existing site conditions);
- Proposed site plan;
- Preliminary grading plan;
- A landscape plan;
- Architectural drawings of all structures;
- Drawings of all proposed signs;
- A copy of all existing and proposed restrictions or covenants.
- Burden of Proof Form - a narrative report documenting compliance with all applicable approval criteria listed above (Development Code Section 10-4H-4).

## **APPLICATION - PART 1**

**ANSWER THE FOLLOWING, AS APPLICABLE (ANSWER N/A IF NOT APPLICABLE)**

### **APPLICANT 1:**

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

### **APPLICANT 2:**

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

### **AGENT/ CONSULTANT/ ATTORNEY:** (mandatory if primary contact is different from applicant or property owner)

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

### **PROPERTY OWNER:**

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

### **PROPERTY OWNER 2 :** (if more than two property owners attach additional info/signature sheets)

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

The above signed property owners certify that the above information is true and correct to the best of our knowledge and under penalty of perjury, each state that we are all of the legal owners of the property described above and designate the above listed agent/consultant/attorney to act as our agent with respect to this application.

**PROJECT INFORMATION**

Site Address / Location: \_\_\_\_\_

Parcel Number(s) of Project / Proposal: \_\_\_\_\_

Legal Description of Project / Proposal: \_\_\_\_\_

Section\_\_\_\_\_ Township\_\_\_\_\_ Range\_\_\_\_\_ Source of Legal Description: \_\_\_\_\_

Parcel Size(s): \_\_\_\_\_

Adjacent Area Owned or Controlled (acres or sq. ft.): \_\_\_\_\_

Parcel Number(s) of Adjacent Area: \_\_\_\_\_

Existing Use of Subject Property: \_\_\_\_\_

Describe proposed use of the property, noting change from "existing use": \_\_\_\_\_

Zoning Designation: \_\_\_\_\_ Land Use Designation: \_\_\_\_\_

School District: \_\_\_\_\_ Fire District: \_\_\_\_\_

Sewer Purveyor: \_\_\_\_\_ Water Purveyor: \_\_\_\_\_

List Previous Planning Actions Involving Subject Property: \_\_\_\_\_

Name of Public Road(s) Providing Access: \_\_\_\_\_

Width of Property Fronting on Public Road: \_\_\_\_\_

Does the Proposal Have Access to an Arterial or Planned Arterial: ☐ YES ☐ NO

Name of Arterial Road(s): \_\_\_\_\_

Does the proposal meet all City Development Code standards? ☐ YES ☐ NO

If not, has one or more variances been requested? ☐ YES ☐ NO

## **APPLICATION - PART 2**

### **THE ITEMS BELOW MUST BE SUBMITTED WITH YOUR APPLICATION, AS APPLICABLE:**

- ☐ **APPLICATION FORM**  
Submit completed application on the attached form with all signature blocks completed and non-refundable application fees and associated environmental fees (contact Planning & Building Services for a copy of the current fee schedule). *Acceptance of the application and fees does not guarantee approval of the conditional use permit).*
- ☐ **AGREEMENT TO PAY FEES**
- ☐ **BURDEN OF PROOF FORM**  
Provide a narrative report documenting compliance with all applicable approval criteria listed above (Development Code Section 10-4H-4)
- ☐ **SITE ANALYSIS MAP (EXISTING SITE CONDITIONS)** - Submit **1** hard copy of the site analysis map drawn to scale and **1** .pdf (on CD). At a minimum the site map shall contain the following, as applicable:
  - a. The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the City, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions, and gross area shall be identified;
  - b. Identification of slopes greater than 10 percent and provide topographic contour lines shown at a five (5) foot minimum interval if over 6 percent;
  - c. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjacent to the site;
  - d. Potential natural hazard areas, including any areas identified as subject to a 100-year flood, areas subject to high water table, and areas mapped by the City, County, or State as having a potential for geologic hazards;
  - e. Resource areas, including marsh and wetland areas, streams, wildlife habitat identified by the City or any natural resource regulatory agencies as requiring protection;
  - f. Site features, including existing structures, pavement, rock outcroppings, areas having unique views, and drainage ways, canals, and ditches;
  - g. Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;
  - h. The general location, size, and species of existing trees and other vegetation having a caliper (diameter) of 12 inches or greater at four feet above grade;
  - i. North arrow, scale, and names and addresses of all persons listed as owners on the most recently recorded deed.
  - j. Name and address of project designer, contact person, engineer, surveyor, and/or planner, as applicable.
  - k. Other information, as determined by P&CD. The City may require studies or exhibits prepared by qualified professionals to address specific site features.
- ☐ **ASSESSOR'S SECTION MAPS**  
Submit **1** copy of current County Assessor maps showing the subject property outlined in red and adjacent property owned or under option to the owner or sponsor (indicate adjacent property with a red dashed line). Adjacent includes property located across roads and rivers, etc.  
  
Assessor maps are available at the County Assessor's Office and must be current (less than 30 days old) at the time of submittal and stamped by a licensed land surveyor. Platted (1"=200') and range (1"=400') parcel maps must be obtained, as you may need both sets, depending on your property location. The maps are used for legal notification of property owners adjacent to the property (shown in red).  
  
Note: The property does not have to be surveyed at this time. The map stamped by a licensed land surveyor verifies the written legal description for the subject property is an approximate representation on the map.

- ☐ **ZONING SECTION MAP**

Submit **1** copy of the official zoning map with the zoning labeled on the property. The zoning boundary shall be stamped by a licensed land surveyor. Copies of official zoning maps are obtainable from the City of Liberty Lake. (The written legal description(s) on the application form and the zoning boundary(s) shown on the map shall coincide).

Note: The property does not have to be surveyed at this time. The map stamped by a licensed land surveyor verifies the written legal description for the subject property is an approximate representation on the map.
- ☐ **LEGAL DESCRIPTION**

The source of the legal description shall be clearly indicated and the legal description shall be stamped by a licensed land surveyor.
- ☐ **ENVIRONMENTAL CHECKLIST**
- ☐ **CERTIFICATE OF WATER & SEWER AVAILABILITY**

Submit **1** copy of a signed certificate of water availability from the water purveyor and 1 copy of a letter from the sewer purveyor discussing how sewer will be provided to the site (size of lines and improvements required to connect) and whether the required improvements are in conformance with the approved sewer comprehensive plan or an amendment to the sewer comprehensive plan is required.
- ☐ **REQUIRED PUBLIC NOTICE** - Planning & Building Services staff will provide you with the preparation instructions at the Pre-Application Conference.
- ☐ **SITE PLAN**

Submit **1** hard copy of the proposal (11" x 17" minimum), stamped by a licensed land surveyor, with written legal description and **1** .pdf (on CD). At a minimum the Site Plan shall contain the following, as applicable:

  - a. Scale of drawing & North arrow
  - b. Vicinity map
  - c. Site area showing property boundaries & dimensions
  - d. Width and names of streets adjacent to the site
  - e. Existing buildings
  - f. Proposed buildings (including exterior decks/balconies) showing dimensions and distance to property boundaries
  - g. Height of all structures
  - h. Parking areas/ spaces/ driveways
  - i. Landscaping
  - j. Fencing
  - k. Topography of the site
  - l. Easement(s) affecting the use of the property
  - m. Septic tank, drainfield, and well
  - n. Dimensions from proposed structures to the ordinary high-water mark of all water bodies
  - o. Location and size of all wetlands
  - p. Easement which provides access to the public street
  - q. Access, if different from easement
- ☐ **PRELIMINARY GRADING PLAN**

Submit **1** hard copy (11" x 17" minimum), stamped by a licensed engineer and **1** .pdf (on CD)
- ☐ **ARCHITECTURAL DRAWINGS OF ALL STRUCTURES**

Submit **1** hard copy (11" x 17" minimum), stamped by a licensed architect / engineer and **1** .pdf (on CD)
- ☐ **DRAWINGS OF ALL PROPOSED SIGNS**

Submit **1** hard copy (11" x 17" minimum) and **1** .pdf (on CD)

☐ **A COPY OF ALL EXISTING AND PROPOSED RESTRICTIONS OR COVENANTS**

☐ **LANDSCAPE PLAN**

Submit 1 hard copy (11" x 17" minimum), stamped by a licensed landscape architect and 1 .pdf (on CD). At a minimum the Landscape Plan shall contain the following, as applicable:

- a. The location and height of existing and proposed fences and other buffering or screening materials;
- b. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
- c. The location, size, and species of the existing and proposed plant materials (at time of planting);
- d. Existing and proposed building and pavement outlines;
- e. Specifications for soil at time of planting and anticipated planting schedule.
- f. Irrigation system (if plantings are not drought-tolerant, may be automatic or other approved method of irrigation)
- g. Other information as deemed appropriate by P&CD. An arborist's report may be required for sites with significant vegetation that is protected under City Development Code Article 10-3C.

☐ **OTHER EXHIBITS OR APPLICATIONS**

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☐ **CONCERNS OR NOTES**

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### **APPLICATION - PART 3**

#### **SURVEYOR VERIFICATION**

I, THE UNDERSIGNED, A LICENSED LAND SURVEYOR, HAVE COMPLETED THE INFORMATION REQUESTED. THE MAP / SITE PLAN HAS BEEN PREPARED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LIBERTY LAKE ZONING / SUBDIVISION REGULATIONS AND THE LAWS OF THE STATE OF WASHINGTON.

PRINTED NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

SIGNATURE OF SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

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I, THE UNDERSIGNED, SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THE ABOVE RESPONSES ARE MADE TRUTHFULLY AND TO THE BEST OF MY KNOWLEDGE. I FURTHER SWEAR OR AFFIRM THAT I AM THE OWNER OF RECORD OF THE AREA PROPOSED FOR THE PREVIOUSLY IDENTIFIED LAND USE ACTION, OR, IF NOT THE OWNER. ATTACHED HERewith IS WRITTEN PERMISSION FROM THE OWNER AUTHORIZING MY ACTIONS ON HIS/HER BEHALF.

PRINTED NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

SIGNATURE OF APPLICANT OR REPRESENTATIVE \_\_\_\_\_ DATE \_\_\_\_\_

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STATE OF WASHINGTON     )  
  ) ss:  
CITY OF LIBERTY LAKE     )

Notary: Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for the State of Washington

Residing at: \_\_\_\_\_

My Appointment Expires: \_\_\_\_\_

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**THIS APPLICATION AND ALL SUPPORTING MATERIAL REQUIRED BY THE CITY MUST BE SUBMITTED AT THE TIME OF APPLICATION IN ORDER FOR THE APPLICATION TO BE COMPLETE.**



**(PLANNING & BUILDING SERVICES OFFICE USE ONLY)**

DATE RECEIVED: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

DATE COMPLETE: \_\_\_\_\_

FILE NUMBER: \_\_\_\_\_

TOTAL FEES: \_\_\_\_\_

RECEIPT NUMBER: \_\_\_\_\_

ADDITIONAL INFORMATION: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_